IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

104 **CRM-M-60573-2025**

Decided on: 07.04.2026

Vimal ..... Petitioner

Versus

State of Punjab ......Respondent

104a **CRM-M-60674-2025**

Gurpreet Singh @ Goppy ..... Petitioner

Versus

State of Punjab ......Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rahul Rana, Advocate, for the petitioner in CRM-M-60573-2025.

Mr. Nikhil Chopra, Advocate for the petitioner in CRM-M-60674-2025.

Mr. Raj Karan Singh, AAG, Punjab.

Rajesh Bhardwaj, J.

1. By this order, the two above-mentioned petitions are disposed of, both having arisen out of the same FIR.

2. Prayer in the present petitions is for grant of anticipatory bail to the petitioners in a case FIR No.14 dated 06.08.2025, registered under Section 318(4) of BNS, 2023 and Section 66(D) of IT Act, 2000, at Police Station Cyber Crime, Khanna, District Ludhiana.

3. Succinctly, facts of the case are that the FIR in the present case was registered on the statement of complainant, namely, Mahender Pratap Singh Gill. It was alleged that he had received phone call on WhatsApp from mobile No.87610-79712 and the caller disclosed that he is employee of Telecom Regulatory Authority of India and he told that at the time of raid

conducted at the house of owner of JET AIRWAYS, namely, Naresh Goyal by the CBI and Enforcement Directorate, 247 ATM cards were recovered out of which one ATM card of Bank of Baroda belongs to the complainant and Naresh Goyal had credited a sum of Rs.58 crores in the account of the complainant. The caller told that the ATM of fake bank account in the name of complainant has been sold by Naresh Goyal to someone else. The caller also told that all the bank accounts of the complainant will be verified. On 9.6.2025 the complainant received WhatsApp call from Vijay Khanna from mobile No.87610-79712 who told that he is from Enforcement Directorate and he has been appointed to verify all the bank accounts of the complainant and told the complainant not to talk about the same to any one and if the complainant will do so, then he will be punished for two and half years to three years of imprisonment. Vijay Khanna told the complainant that except Rs.1,25,000/- all the remaining amount is to be verified in the bank accounts of the complainant. On 10.6.2025 Vijay Khanna sent the complainant a fake order of Hon'ble Supreme Court of India on the WhatsApp of complainant and told the complainant to deposit Rs.51,00,000/- in DBS Account No.8232200000002042 (Firm begin Heavens Light & Electronics Manufacturing Pvt Ld) on which the complainant on 10.6.2025 transferred amount of Rs.51,00,000/- through RTGS from his HDFC Bank account and thereafter on 11.06.2025, Rs.20,00,000/-, Rs.31,00,000/-, Rs.20,00,000/- were transferred from different accounts. Thereafter, on 13.06.2025 the complainant transferred Rs.26,00,000/-, 19,00,000/-and on 18.06.2025 Rs. 18,00,000/-, on 21.06.2025 Rs.25,00,000/-, on 03.07.2025 Rs.10,00,000/-, on 08.07.2025 Rs.15,00,000/-, on 10.07.2025 Rs. 10,00,000/-, on

17.07.2025 Rs.5,00,000/-, on 29.07.2025 Rs.10,00,000/-, on 30.07.2025 Rs.5,75,000/- from his different accounts. It was alleged by the complainant that he was cheated for a sum of Rs.2,65,75,000/-. Thus, request was made to take legal action against the accused persons. On the registration of the FIR, the investigation commenced. During the investigation, complicity of Vimal (petitioner in CRM-M-60573-2025) and Gurpreet Singh @ Goppy (petitioner in CRM-M-60674-2025) was surfaced and thus, they have arrayed as accused in the present case. Apprehending arrest, the petitioners approached the Court of learned Additional Sessions Judge, Ludhiana praying for grant of anticipatory bail. However, after hearing both the sides, the learned Court finding no merit in the same, dismissed the bail applications filed by the petitioners vide separate orders dated 08.10.2025. Hence, the petitioners have approached this Court praying for grant of anticipatory bail by way of filing the present petitions. It is apposite to mention here that vide order dated 18.02.2026 passed by this Court, no coercive action was ordered to be taken against the petitioners.

4. It has been vehemently contended by learned counsel for the petitioners that the petitioners have been falsely and frivolously implicated in the present case on the basis of assumptions and presumptions.

Learned counsel for petitioner Vimal has submitted that neither the petitioner has been named in the FIR, nor he is the beneficiary. He submits that the petitioner has been arrayed as an accused only the basis of disclosure statement of co-accused Binder Kumar, which in itself is not an admissible evidence. He submits that the allegations against the petitioner are to the extent that co-accused Binder Kumar came into contact with co-accused Akash Sharma and the petitioner, and thereafter, the petitioner deposited Rs.75,000/- in his account. He further contends that the petitioner has not committed any offence whatsoever and has no connection or association with the main accused, namely, Binder Kumar and the allegations levelled against him are totally false and frivolous. He further contends that there is no evidence on record to prove that the petitioner had ever gone to Delhi or Bareilly alongwith the co-accused.

Learned counsel for petitioner Gurpreet Singh @ Goppy has submitted that the petitioner neither met the complainant nor received any money in his account. He submits that the petitioner has been arrayed as an accused only the basis of disclosure statement of co-accused Parth Gupta which in itself is not an admissible evidence. He submits that the allegations against the petitioner are to the extent that he accompanied said co-accused, namely, Parth Gupta.

Learned counsel for the petitioners have, thus, submitted that in the facts and circumstances of the present case, no *prima facie* case is made out against the petitioners, and hence, they deserve to be granted anticipatory bail.

5. Reply by way of affidavit of Mohit Kumar Singla, PPS, Deputy Superintendent of Police (D), Police District Khanna, District Ludhiana in CRM-M-60573-2025, has already been filed.

Per contra, learned State counsel has opposed the submissions made by learned counsel for the petitioners. He has submitted that there are serious allegations against the petitioners. He submits that during the investigation it was found that on 08.07.2025, an amount of Rs.15 lacs was transferred from the account of the complainant to the account which was found to be of co-accused Binder Kumar @ Pappu, who lateron disclosed the involvement of petitioner Vimal in the present case. He further contends that name of petitioner Gurpreet Singh @ Goppy was surfaced in the statement of Parth Gupta, in whose account Rs.8.62 lacs got deposited. He thus, contends that the complainant has been duped with a huge amount of Rs.2,65,75,000/-, which is still to be recovered and for the purpose, custodial interrogation of the petitioners is required and hence, he prays for dismissal of the present petitions.

6. Having heard learned counsel for the parties and perused the material available on record, this Court finds that the allegations in the present case are grave in nature, involving a well-planned cyber fraud whereby the complainant was duped of a huge amount of Rs.2,65,75,000/-. The investigation conducted so far reveals the involvement of the petitioners, whose names have surfaced during the course of investigation through statements of co-accused as well as the money trail. The contention of the petitioners that they have been falsely implicated and that the disclosure statements are inadmissible, cannot be conclusively adjudicated at this stage. Considering the magnitude of the fraud, the requirement of custodial interrogation of the petitioners, namely, Vimal and Gurpreet Singh @ Goppy for recovery of the defrauded amount is required, and as the larger conspiracy involved, this Court is of the view that the petitioners do not deserve the concession of anticipatory bail.

7. For the consideration of anticipatory bail, the statutory parameters are given under Section 482 (1) & (2) of BNSS which reads as under:-

482"Direction for grant of bail to person apprehending arrest:

1. *When any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.*
2. *When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-*
   - *(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
   - *(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
   - *(iii) a condition that the person shall not leave India without the previous permission of the Court;*
   - *(iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section."*

8. Hon'ble Supreme Court in **State represented by CBI Vs. Anil Sharma,** (1997) 7 SCC 187 has held as under:-

> "6. We find force in the submission of the CBI that custodial interrogation is qualitatively more elicitation oriented than questioning a suspect who is well ensconded with a favorable order under Section 438 if the code. In a case like this effective interrogation of suspected person is of tremendous advantage in disintering many useful informations and also

materials which would have been concealed. Succession such interrogation would elude if the suspected person knows that he is well protected and insulted by a pre-arrest bail during the time he interrogated. Very often interrogation in such a condition would reduce to a mere ritual. The argument that the custodial interrogation is fraught with the danger of the person being subjected to third degree methods need not be countenanced, for, such an argument can be advanced by all accused in all criminal cases. The court has to presume that responsible Police Officers would conduct themselves in task of disintering offences would not conduct themselves as offenders."

9. Hon'ble Apex Court in plethora of judicial precedents including **Gurbaksh Singh Sibbia Vs. State of Punjab**, AIR 1980 SC 1632, has time and again reiterated that while considering the anticipatory bail the Court is to take into consideration the factors like gravity of offence, chances of accused tampering with the evidence and probabilities of his fleeing from justice etc. The Court should be circumspect about the impact of its decision on the society as well. The anticipatory bail is an extraordinary discretion which should be exercised in the extraordinary circumstances.

10. Weighing the facts of the case on the anvil of the law settled, it is apparent that the complicity of the petitioners has been *prima facie* established. The investigation is at its threshold. Thus, granting anticipatory bail to the petitioners at this stage would scuttle the ongoing investigation.

11. In view of the facts and circumstances of the present case, this Court is of the opinion that the petitioners do not qualify for exercising the

extraordinary power by this Court in their favour. Resultantly, the petitions being devoid of any merit are hereby dismissed.

13. Nothing said herein shall be construed as an expression of opinion on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

07.04.2026
sharmila

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No